

I wish to express my concerns about BPL in general in particular the proposal to waive the testing requirements to insure Part 15 compliance.

I have been an Amateur Extra license, AE1X, since 1978 and before that other classes (WA1PYZ) since 1972 in the Amateur Radio Service and hold an FCC General Radio Telephone License. I hold ASET and BSET degrees in Electronic Engineering Technology and have been actively engaged in this technology since 1968.

It appears to me that the commission has decided before hand that BPL is a technology that must be implemented despite the perponderance of evidence that shows that severe interference to licensed services will be the result. I find this attitude an entirely outrageous shift in government communications policy.

Past uses of Part 15 to permit low power and incidental RF users was not a major problem because the duty cycle of the system involved. The signals were present for brief amounts of time and disappeared. This type of hit and miss communications is compatible with most licensed services and has only be a factor when the devices became defective and behaved in a manner not consistent with the regulations. BPL emissions are entirely different animal. They radiate large amount of signal on multiple frequencies at the same instant. If they really complied with part 15 they would not be able to operate at all. They seem to fit into Part 15 as long as the measured signals are considered on an individual basis, but they will be radiation millions of individual signals all at the 30uV/Meter signal strength. It seems to me that 30uV/Meter limit should apply to the agragate signal considered as a whole rather than on individual signals.

My concern in this case is born out of my use of my license to perform communications using low power levels. We general define low power levels as < 5W, but I'm talking about power levels in the 100 to 200 mWatt range. This makes my signal, generally readable just above the agragate atomosphere noise level. BPL signals will make communications at this power level impossible with stations in the BPL areas.

Another of my concerns is that service is being implemented as we speak in several areas prior to consideration of this matter. My belief is that they feel that they are already compliant with the present regulations and it is only a formality that the FCC is following through on to meet the letter of the due process of low requirements for government actions. This being the case, I believe the commission could have just issued a summary judgement in this case and rolled out its report and order without the time and expense of a full NPRM.

Another of my concerns involves how the commission plans to enforce the requirement for a system to cease and desist once it is in operation? This would appear to be impractical. Once in operation and there are customers using the service it will nearly impossible for the provider to just pull the plug on a costly investment.

There remains the issue of egress from licensed users into the system. There appears to no real scientific effort being expended to measure the affect co-site interference from licensed broadcasters. I can just imagine the consternation that will arise should a licensed Amateur Radio Service station fire up a 1500W pep signal on 80mtrs to cut through the BPL pollution to make a contact in the next community.

I have to admit that the commission feels that obligation to lead in the marketplace by providing for innovative uses of the limit RF spectrum, but I find it deceptive of the commission that will is planning to move licensed users out of allocated spectrum so that it can reallocate without confronting the issue up front and in the open. I sense that the commission knows the what would happens should this be the case and believes that the public interest is better served by having BPL rather than not having. Once in place, the new agenda will be a foregone conclusion and they will have eliminated the an otherwise contentious situation.

The real question that should be raised here is not whether BPL should be authorized, it appears that it already has been authorized, but whether a new allocation strategy should be rolled based purely on the economic potential of the proposed users? I really wish the commission would lead on this is rather than try to outflank it as they are doing here.

Respectfully Submitted,

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